

Coast Guard, DHS

§ 104.220

(D) Proper usage of lifesaving equipment and where such equipment is normally stowed aboard various vessel types;

(E) Understanding of the operating principles of and proper use of watertight and fire screen doors; and

(F) Understanding where it is safe to smoke and not safe to smoke on board and in port.

(iv) Protection of the marine environment:

(A) Understanding of vessel personnel's responsibility to preserve the marine environment; and

(B) Basic working knowledge of pollution prevention regulations and techniques.

(v) Familiarity with key definitions, terminology, and operational practices employed in the maritime industry.

(4)(i) Persons meeting the criteria in paragraphs (d)(4)(i)(A) and (B) of this section prior to the effective date of this regulation may successfully complete a refresher Coast Guard-accepted VSO course no later than July 1, 2009, to fulfill (d)(1)(iv) of this section. Persons must have:

(A) At least six months of VSO experience during the preceding three years; or

(B) Successfully completed a VSO course that was not approved by the Maritime Administration (MARAD) on behalf of the Coast Guard. Maritime Administration approves VSO courses under section 109 of the Maritime Transportation Security Act of 2002, Public Law 107-295.

(ii) To be eligible to take a refresher Coast Guard-accepted VSO course, a person must present to the course provider documentary evidence that he or she meets the criteria in (d)(4)(i) of this section.

(5) Vessel Security Officer courses meeting the training requirements in paragraphs (d)(2) and (d)(4) of this section are subject to Coast Guard acceptance under 46 CFR 10.309(a)(10)(ii).

(6) Vessel Security Officer courses approved by MARAD on behalf of the Coast Guard under section 109 of the Maritime Transportation Security Act of 2002, Public Law 107-295 will be accepted by the Coast Guard under 46 CFR 10.309 as meeting the require-

ments of paragraphs (d)(1)(iv) and (d)(2) of this section.

(7) Persons who hold a valid "Vessel Security Officer" endorsement may serve as vessel or company personnel with security duties (33 CFR 104.220), and as all other vessel personnel (33 CFR 104.225), without meeting any additional requirements.

(e) *Responsibilities.* In addition to those responsibilities and duties specified elsewhere in this part, the VSO must, for each vessel for which he or she has been designated:

(1) Regularly inspect the vessel to ensure that security measures are maintained;

(2) Ensure maintenance and supervision of the implementation of the VSP, and any amendments to the VSP;

(3) Ensure the coordination and handling of cargo and vessel stores and bunkers in compliance with this part;

(4) Propose modifications to the VSP to the Company Security Officer (CSO);

(5) Ensure that any problems identified during audits or inspections are reported to the CSO, and promptly implement any corrective actions;

(6) Ensure security awareness and vigilance on board the vessel;

(7) Ensure adequate security training for vessel personnel;

(8) Ensure the reporting and recording of all security incidents;

(9) Ensure the coordinated implementation of the VSP with the CSO and the relevant Facility Security Officer, when applicable;

(10) Ensure security equipment is properly operated, tested, calibrated and maintained; and

(11) Ensure consistency between security requirements and the proper treatment of vessel personnel affected by those requirements.

(12) Ensure TWIC programs are in place and implemented appropriately.

[USCG-2003-14749, 68 FR 39302, July 1, 2003, as amended at 68 FR 60513, Oct. 22, 2003; USCG-2006-24196, 72 FR 3580, Jan. 25, 2007; USCG-2008-0028, 73 FR 29070, May 20, 2008; 73 FR 34191, June 17, 2008]

§ 104.220 Company or vessel personnel with security duties.

Company and vessel personnel responsible for security duties must maintain a TWIC, and must have

§ 104.225

knowledge, through training or equivalent job experience, in the following, as appropriate:

- (a) Knowledge of current security threats and patterns;
- (b) Recognition and detection of dangerous substances and devices;
- (c) Recognition of characteristics and behavioral patterns of persons who are likely to threaten security;
- (d) Techniques used to circumvent security measures;
- (e) Crowd management and control techniques;
- (f) Security related communications;
- (g) Knowledge of emergency procedures and contingency plans;
- (h) Operation of security equipment and systems;
- (i) Testing and calibration of security equipment and systems, and their maintenance while at sea;
- (j) Inspection, control, and monitoring techniques;
- (k) Relevant provisions of the Vessel Security Plan (VSP);
- (l) Methods of physical screening of persons, personal effects, baggage, cargo, and vessel stores; and
- (m) The meaning and the consequential requirements of the different Maritime Security (MARSEC) Levels.
- (n) Relevant aspects of the TWIC program and how to carry them out.

[USCG–2003–14749, 68 FR 39302, July 1, 2003, as amended by USCG–2006–24196, 72 FR 3580, Jan. 25, 2007]

§ 104.225 Security training for all other vessel personnel.

All other vessel personnel, including contractors, whether part-time, full-time, temporary, or permanent, must have knowledge of, through training or equivalent job experience in the following, as appropriate:

- (a) Relevant provisions of the Vessel Security Plan (VSP);
- (b) The meaning and the consequential requirements of the different Maritime Security (MARSEC) Levels, including emergency procedures and contingency plans;
- (c) Recognition and detection of dangerous substances and devices;
- (d) Recognition of characteristics and behavioral patterns of persons who are likely to threaten security; and

33 CFR Ch. I (7–1–11 Edition)

(e) Techniques used to circumvent security measures.

(f) Relevant aspects of the TWIC program and how to carry them out.

[USCG–2003–14749, 68 FR 39302, July 1, 2003, as amended at 68 FR 60513, Oct. 22, 2003; USCG–2006–24196, 72 FR 3580, Jan. 25, 2007]

§ 104.230 Drill and exercise requirements.

(a) *General.* (1) Drills and exercises must test the proficiency of vessel personnel in assigned security duties at all Maritime Security (MARSEC) Levels and the effective implementation of the Vessel Security Plan (VSP). They must enable the Vessel Security Officer (VSO) to identify any related security deficiencies that need to be addressed.

(2) A drill or exercise required by this section may be satisfied with the implementation of security measures required by the Vessel Security Plan as the result of an increase in the MARSEC Level, provided the vessel reports attainment to the cognizant COTP.

(b) *Drills.* (1) The VSO must ensure that at least one security drill is conducted at least every 3 months, except when a vessel is out of service due to repairs or seasonal suspension of operation provided that in such cases a drill must be conducted within one week of the vessel's reactivation. Security drills may be held in conjunction with non-security drills where appropriate.

(2) Drills must test individual elements of the VSP, including response to security threats and incidents. Drills should take into account the types of operations of the vessel, vessel personnel changes, and other relevant circumstances. Examples of drills include unauthorized entry to a restricted area, response to alarms, and notification of law enforcement authorities.

(3) If the vessel is moored at a facility on the date the facility has planned to conduct any drills, the vessel may, but is not required to, participate in the facility's scheduled drill.

(4) Drills must be conducted within one week from whenever the percentage of vessel personnel with no prior